

IN THE CLAIMS:

Please CANCEL claims 2, 6, 7, 9, 12, 13, 15, and 16 without prejudice or disclaimer and AMEND the claims in accordance with the following:

1. (Currently Amended) A data backup device connected to a server via a network, comprising:

a storage unit that stores data;
a usable band detector that detects a width of a usable band from an available band of the network, the usable band currently not being used; and
a backup controller that
determines whether the width of the usable band is wider than a predetermined width, and
transmits the data of a client to the server through the network to store the data as backup data in the server when the usable band is determined to be wider than the predetermined width;
a data identifying unit that identifies a type of data selected from a plurality of types for each of the data stored in the storage unit, wherein the backup controller specifies the type of each of the data identified when transmitting each of the data to the server; and
a data restoring unit that
receives a request from a user,
determines a type of backup data to be obtained from the backup data stored in the server according to the type, based on the request, the type of backup data being one of the types,
requests the server to transmit the backup data of the type determined,
receives the backup data of the type transmitted from the server, and
restores to the storage unit the backup data of the type received.

2. (Cancelled)

3. (Currently Amended) The data backup device according to claim 1, wherein the types are user data, operating system setting data, application information, and other data.

4. (Currently Amended) The data backup device according to claim 1, further comprising a data restoring unit that

receives an initial state restore request from a user to restore data of an initial state of the data backup device client,

requests the server to transmit a difference between the backup data and an initial state master data both stored in the server, and

receives the difference from the server to restore the difference to the storage unit client.

5. (Currently Amended) The data backup device according to claim 1, further comprising:
a distribution specifying unit that receives distribution information from a user and transmits the distribution information to the server, wherein the distribution information specifies distributed data to be distributed from the backup data stored in the server to another client separate from the data backup device via the network,
a time at which the distributed data is to be distributed, and
a destination to which the distributed data is to be distributed.

6-7. (Cancelled)

8. (Currently Amended) A data backup method comprising:
storing data at a client connected to a server via a network;
detecting a width of usable band from an available band of the a network, the usable band currently not being used;
determining whether the width of usable band is wider than a predetermined width; ~~and~~
transmitting the data stored at the client to the ~~of a client to a~~ server through the network to store the data as backup data in the server when the width of usable band is determined to be wider than the predetermined width;
identifying a type of data selected from a plurality of types for each of the data stored at the client;
specifying the type of each of the data identified when transmitting each of the data to the server;
receiving a request from a user;
determining a type of backup data to be obtained from the backup data stored in the server according to the type, based on the request, the type of backup data being one of the types;
requesting the server to transmit the backup data of the type determined;
receiving the backup data of the type transmitted from the server; and
restoring to the client the backup data of the type received.

9. (Cancelled)

10. (Currently Amended) A computer readable recording medium that stores a computer program including computer executable instructions which when executed by a computer, cause the computer to perform:
storing data at a client connected to a server via a network;

detecting a width of usable band from an available band of the a network, the usable band currently not being used;

determining whether the width of usable band is wider than a predetermined width; and

transmitting the data stored at the client to the ~~of a client to a~~ server through the network to store the data as backup data in the server when the width of usable band is determined to be wider than the predetermined width;

identifying a type of data selected from a plurality of types for each of the data stored at the client;

specifying the type of each of the data identified when transmitting each of the data to the server;

receiving a request from a user;

determining a type of backup data to be obtained from the backup data stored in the server according to the type, based on the request, the type of backup data being one of the types;

requesting the server to transmit the backup data of the type determined;

receiving the backup data of the type transmitted from the server; and

restoring to the client the backup data of the type received.

11. (Currently Amended) A data backup system comprising a client and a server connected to each other via a network:

~~a data backup device connected to the server via a network and including~~
the client comprising:

a memory unit that stores data;

a usable band detector that detects a width of usable band from an available band of the network, the usable band currently not being used; ;

a backup controller that determines whether the width of usable band is wider than a predetermined width; ; and

a data identifying unit that identifies a type of data selected from a plurality of types for each of the data stored in the memory unit;

a transmitter that transmits the data through the network to the server to store the data in the server as backup data when the backup controller determines the width of usable band to be wider than the predetermined width, wherein the transmitter transmits each of the data to the server according to the type identified by the data identifying unit; and

a data restoring unit that

receives a request from a user,

determines a type of backup data to be obtained from the backup data stored in the server, based on the request, the type being one of the types,

requests the server to transmit the backup data of the type determined,
receives the backup data of the type transmitted, and
restores to the memory unit the backup data of the type received;
the server comprising a backup data storage unit that stores, as the backup data, each of
the data transmitted by the transmitter according to the type.

12-13 (Cancelled)

14. (Currently Amended) The data backup system according to claim 11 ~~42~~, wherein the types are user data, operating system setting data, application information, and other data.

15-16. (Cancelled)

17. (Currently Amended) The data backup system according to claim 11 ~~45~~, wherein the server comprises an initial state storage unit that stores initial state master data of the client, and

~~the data backup device further comprises a~~ the data restoring unit that in the client
receives an initial state restore request from a user to restore data of an initial state of the client,
requests the server to transmit a difference between the backup data and the initial state master data, and
receives the difference from the server to restore the difference to the client.

18. (Currently Amended) The data backup system according to claim 11 ~~45~~, wherein the client further comprises a distribution specifying unit that receives distribution information from a user and transmits the distribution information to the server, the distribution information that specifies distributed data to be distributed from the backup data stored in the server to another client separate from the client via the network, a time at which the distributed data is to be distributed, and a destination to which the distributed data is to be distributed, and the server further comprises a data distributing unit that distributes the distributed data from the backup data to the destination and at the time based on the distribution information.